

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MENORA MIVTACHIM INSURANCE LTD, MENORA MIVTACHIM PENSIONS AND GEMEL LTD, MENORA MIVTACHIM AND THE FEDERATION OF ENGINEERS PROVIDENT FUND MANAGEMENT LTD, CLAL INSURANCE COMPANY LTD, CLAL PENSION AND PROVIDENT LTD, and ATUDOT PENSION FUND FOR EMPLOYEES AND INDEPENDENT WORKERS,

Lead Plaintiffs,

v.

INTERNATIONAL FLAVORS & FRAGRANCES INC., FRUTAROM INDUSTRIES LTD, ANDREAS FIBIG, RICHARD A. O'LEARY, ORI YEHUDAI, ARI ROSENTHAL, ALON GRANOT, GUY GILL, and AMOS ANATOT,

Defendants.

Case No. 19-cv-07536 (NRB)

STIPULATION AND [PROPOSED] AMENDED SCHEDULING ORDER

WHEREAS, on August 12, 2019, Plaintiff Marc Jansen filed the initial complaint in this action (the “Initial Complaint”) against Defendants International Flavors & Fragrances Inc. (“IFF”), Andreas Fibig and Richard A. O’Leary;

WHEREAS, on December 26, 2019, the Court appointed Menora Mivtachim Insurance Ltd., Menora Mivtachim Pensions and Gemel Ltd., Menora Mivtachim and the Federation of Engineers Provident Fund Management Ltd., Clal Insurance Company Ltd., Clal Pension and Provident Ltd., and Atudot Pension Fund for Employees and Independent Workers (collectively, the “Lead Plaintiffs”) as Lead Plaintiffs and Pomerantz LLP as Lead Counsel in this action;

WHEREAS, on January 7, 2020, the Court entered a Stipulation and Scheduling Order providing that Lead Plaintiffs shall file an amended complaint no later than March 16, 2020, and defendants IFF, Andreas Fibig, and Richard A. O’Leary shall file a motion to dismiss or otherwise respond to the operative complaint no later than May 15, 2020;

WHEREAS, on March 16, 2020, Lead Plaintiffs filed an amended complaint in this action (the “Amended Complaint”) against, relevantly, Defendants Frutarom Industries Ltd. (“Frutarom”), Ori Yehudai, Ari Rosenthal, Alon Granot, and Guy Gill, in addition to those defendants named in the Initial Complaint, IFF, Andreas Fibig, and Richard A. O’Leary (collectively, the “Defendants”);¹

WHEREAS, Frutarom was served with the Amended Complaint on or about May 11, 2020;

WHEREAS, Messrs. Yehudai, Rosenthal, Granot and Gill either were served with the Amended Complaint on or about April 1, 2020 or hereby accept service; and

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, subject to approval by the Court, that:

1. Defendants will file their motion to dismiss jointly or separately, or will otherwise respond to the Amended Complaint no later than June 26, 2020.

2. If any Defendant files a motion to dismiss, Lead Plaintiffs will file their opposition no later than August 25, 2020, and Defendants will file reply papers no later than October 9, 2020.

¹ The Amended Complaint also names Amos Anatot, who Plaintiffs represent was served on April 20, 2020 and who has not yet made an appearance in the matter.

3. Prior to the filing of the Amended Complaint, which included additional defendants, there was one request for an extension of time in this matter, which the Court granted on January 7, 2020.

4. Nothing in this stipulation shall be construed as a waiver of any defenses or rights available to the parties, and Defendants expressly retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court.

5. This stipulation may be signed in counterparts.

6. This stipulated order shall supersede all previously filed scheduling orders.

Dated: May 13, 2020
New York, New York

Pursuant to section 8.5(b) of the Electronic Case Filing Rules & Instructions for the United States District Court for the Southern District of New York, the use of conformed electronic signatures is with the consent of all signatories to this filing.

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Federation of Engineers Provident Fund
Management Ltd., Clal Insurance Company
Ltd., Clal Pension and Provident Ltd., and
Atudot Pension Fund for Employees and
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SO ORDERED:

Hon. Naomi Reice Buchwald
United States District Judge
____th Day of _____, 2020